



CIVIL LAW TIDBITS

A Monthly Info Sheet

*One Page
One Topic*

374 AW/JAC

DECEMBER 1996

Civil Law

What do we do?

An easy definition: If it's not Military Justice or Claims, it's handled by Civil Law.

JOB #1: Administrative Discharges

Other Responsibilities:

Barments/Warning Letters

Suspension/Revocation of AAFES or

Commissary Privileges

Front Desk Duties - Powers of

Attorney and Notaries

Legal Assistance

Preventive Law

Labor Law

Legal Reviews of:

FOIA/Privacy Act requests

EOT Complaints

Demotions

Security Incidents/Violations

Commercial Sponsorships

Suspensions/Revocations of

Driving Privileges

Line of Duty Determinations

Private Organization Activities

"Cats & Dogs" (Is it legal?)

CIVIL LAW STAFF

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DEBARMENT LETTERS AND REVOCATION ACTIONS

1. The number of barment actions of juveniles, dependent family members and Japanese Nationals are up this year compared to 1995. There are various reasons why individuals are barred from base. These reasons range from:

- * Disorderly Conduct
- * Shoplifting
- * Larceny
- * Curfew Violation
- * Underage Drinking
- * Drug Use
- * Black-marketing
- * Illegal entry onto base

2. Although the aforementioned offenses are some of the most common reasons for debarment, they are by no means all inclusive.

3. To bar a juvenile from the base the following must be done. The juvenile must go before the Yokota Youth Development Board (YYDB) and be given an opportunity to change his/her behavior. The YYDB may assess points and community hours depending on the type and severity

of the misconduct. If his/her behavior does not improve and there are subsequent, substantiated misconduct, YYDB will recommend barment. The juvenile's package is then forwarded to our office. Once we receive the package, we do a legal review of the materials in the package. At that time a barment letter is prepared. Then the package is forwarded to the Support Group Commander for review. The Support Group Commander coordinates and forwards the package to the Wing Commander. If the Wing Commander feels the evidence in the package supports barment, the Wing Commander will then sign the debarment letter.

4. We receive the package back in our office within 5 to 10 days. The time period depends on how detailed the offenses are and how much research is required. At this point the juvenile is considered barred from base.

5. The next step is the appeal process. The individual has 3 work

GOALS:

We in Civil Law constantly strive to give our customers the best service possible. The following is an evolving list of goals that Civil Law strives to attain:

1. 90% of notification for admin discharge cases processed within 15 days.
2. Reduce the days between incident date and initiation for discharges.
3. Prepare admin discharge booklet for Commanders and First Sergeants.
4. Publish monthly Civil law info sheet.
5. Meeting general suspenses, legal reviews/opinions; Goal - 85%
6. Prepare barment/warning letter within 2 days of receiving report; Goal - 100%
7. Appeals of barment - response within 2 days of receipt; Goal - 100%

We will maintain quality service while reaching these goals.

Con't from Front

days to appeal the debarment action. If he/she fails to appeal in the allotted time period, the juvenile must depart Yokota Air Base. If the juvenile does appeal within the 3 work days, he/she is allowed to remain on base until his/her appeal is granted or denied.

6. Many parents will appeal the debarment citing hardship as their reason. The appeal letters we receive are reviewed in the same manner as the barment letter. Even though it may be a hardship on the entire family, many of the appeals are still denied. This may mean the family has to move off base, or send their child back to the states to live with another family member.

7. Dependent family members and Japanese Nationals are handled, for the most part, in the same manner as juveniles. A few of the differences are that dependent family members and Japanese Nationals are notified by the Security Police, while juveniles are notified by the Yokota Youth Development Coordinator. The military member's squadron is also contacted when a dependent wife or husband is being barred. This is to ensure the military member will aid in the quick removal of their spouse from base. It also keeps the member's unit informed on issues which may influence the member's job performance, availability for duty

or need to take leave. If Japanese Nationals work on base, their squadrons are also notified. If they do not work on base or do not have any association with the base, the SPs will find their address off base and serve them their barment letter.

8. A concern we have is the number of juveniles being barred. However, juvenile delinquency cannot be tolerated. Juvenile barments have increased approximately 47 percent compared to last year.

9. Revocation actions have not increased as much as the number of debarments this year. (Revocation is the act of revoking someone AAFES or Commissary privileges). Individuals who misuse their AAFES or Commissary privileges can have their privileges revoked for 6 months to 2 years.

10. Black-marketing and shoplifting are the two most common reasons why an individual could have their privileges revoked.

DON'T FORGET - WE ARE HERE TO SERVE YOU.
IF YOU HAVE QUESTIONS DON'T HESITATE TO CALL!